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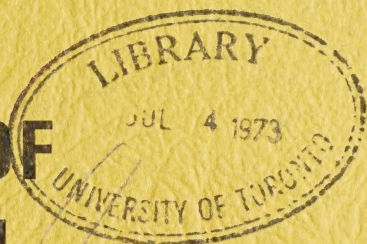
**DEPARTMENT OF MUNICIPAL AFFAIRS**



ONTARIO

**1971**

**SUMMARY OF  
LEGISLATION**



**AFFECTING MUNICIPALITIES**

**Enacted at the Fourth Session of the Twenty-Eighth  
Legislature of the Province of Ontario until Date of  
Recess on July 28th, 1971**

**Printed by the authority of  
THE HONOURABLE DALTON BALES, Q.C.  
Minister of Municipal Affairs**



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# Department of Municipal Affairs Ontario



I am pleased to make available a summary of the legislation affecting municipalities enacted at the current Session of the Legislature until date of recess on July 28th, 1971.

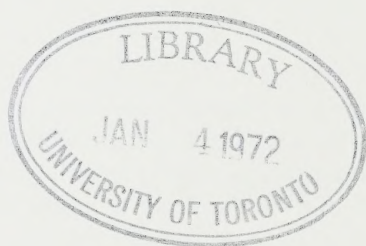
As has been the custom in the past we have summarized only those Acts or portions thereof that we consider to be of interest to municipal officials. This summary is prepared for the purposes of convenience and for the exact wording reference should be made to the Acts themselves.

*Dalton Bales.*

Minister of Municipal Affairs.

August 9th, 1971.





# Table of Contents

Chap. No.		Bill No.	Page No.
98	The Age of Majority and Accountability Act, 1971 .....	122	5
45	The Agricultural Representatives Amendment Act, 1971 .....	96	5
79	The Assessment Amendment Act, 1971 .....	127	5
50	The Civil Rights Statute Law Amendment Act, 1971 .....	56	8
64	The Conservation Authorities Amendment Act, 1971 .....	95	8
93	The Day Nurseries Amendment Act, 1971 .....	110	9
86	The Environmental Protection Act, 1971 .....	94	9
61	The Highway Improvement Act, 1971 .....	89	10
99	The Homes for the Aged and Rest Homes Amendment Act, 1971 .....	124	12
35	The Liquor Licence Amendment Act, 1971 .....	71	12
81	The Municipal Amendment Act, 1971 .....	136	13
96	The Pits and Quarries Control Act, 1971 .....	120	13
2	The Planning Amendment Act, 1971 .....	28	14
78	The Provincial Parks Municipal Tax Assistance Act, 1971 .....	123	15
95	The Public Health Amendment Act, 1971 .....	119	15
69	The Public Schools Amendment Act, 1971 .....	103	16
73	The Regional Municipal Grants Amendment Act, 1971 ..	112	16
90	The Schools Administration Amendment Act, 1971 .....	105	17
68	The Secondary Schools and Boards of Education Amendment Act, 1971 .....	102	17
70	The Separate Schools Amendment Act, 1971 .....	106	18
37	The Tile Drainage Act, 1971 .....	75	18

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# THE AGE OF MAJORITY AND ACCOUNTABILITY ACT, 1971

BILL No. 122

Ontario Statutes 1971, Chapter 98, effective on a day to be named by the Lieutenant Governor by his proclamation.

**General.** In accordance with the recommendation of the Ontario Law Reform Commission, this Bill reduces the age of majority from 21 to 18 years of age and specifically amends a number of enactments, including those in relation to drinking and election age, to substitute a reference to 18 years of age for references to 21 years of age.

A schedule of amendments is attached to the Bill.

## THE AGRICULTURAL REPRESENTATIVES AMENDMENT ACT, 1971

BILL No. 96

Ontario Statutes 1971, Chapter 45, effective July 9th, 1971.

**District and Regional Municipalities.** A new *subsection 3* is added to *Section 4* to provide that district and regional municipalities are deemed counties for the purpose of making grants to assist in carrying on the work of agricultural representatives in the county.

## THE ASSESSMENT AMENDMENT ACT, 1971

BILL No. 127

Ontario Statutes 1971, Chapter 79, effective July 23rd, 1971, except for amendments to Sections 1, 3, 28 and 43 which shall be deemed to have come into force on January 1st, 1971 and except for the amendments to Sections 33 and 46 which come into force on January 1st, 1974.

1. **Definition of "Locality".** *Clause m of Section 1* which defines "municipality" is re-enacted to except *Section 38* in which the word is used in a different context.

2. **Tax Exemption Re Mining Matters.** *Paragraph 19 of Section 3* is revised to change the basis of tax exemption from "buildings used mainly for obtaining minerals from the ground" to "the proportionate part of the buildings used for obtaining minerals from the ground". The change will provide a more equitable basis for the exemption.

3. **Assessment of Orchards.** *Subsection 7 of Section 27* which deals with the assessment of woodlands is re-enacted to apply to orchards. A new *subsection 9* is added to *Section 27* to define "orchards" as "lands having an area of at least one-half acre on which there are at least thirteen fruit trees and on which the number of fruit trees bears a proportion to the area of at least twenty-six fruit trees per acre, of one or more of the following kinds: apple, cherry, grape vine, peach, apricot, pear, plum, and such other fruit-producing trees, shrubs or vines as may be designated by order in council."



4. **Profits from Mines.** *Subsection 1 of Section 28* is re-enacted to delete schools in unorganized territory from taxing mine profits.
5. **Adjustment of Assessment of Pipe Lines.** *Subsection 5 of Section 33* is re-enacted and a new *subsection 5a* is added to adjust the pipe line assessment on the same basis as the other assessment in the municipality.
6. **Quinquennial Railway Assessment.** *Section 39* which provides for the quinquennial railway assessment is repealed as it is no longer consistent with the program of re-assessment now in progress.
7. **Definition of "Omitted" Clarified.** *Section 42* which deals with omissions from the collector's roll is amended by the addition of a new *subsection 4* which provides that the purposes of the section "omitted" includes the invalidation or setting aside of an assessment by any court or assessment tribunal on any ground except that the land is not liable to taxation. The purpose of this new subsection is to prevent a person from escaping taxation by a technical procedural defect such as misdescription of the property. The rights of the owners are protected by the provisions of *subsection 3* regarding notice and appeals.
8. **When New or Altered Premises Become Assessable.** *Clause a, subsections 2 and 3 of Section 43* are re-enacted. *Clause a* provides that a building becomes assessable from the time it or a part of it becomes occupied. Under the former legislation it could be argued that the whole of the building must be occupied or reasonably fit for occupancy before it can be entered on the roll. *Subsection 2* provides that where an entry is made on the collector's roll the amount of the taxes to be levied thereon shall be a portion of the amount of taxes that would have been levied in the current year if the assessment had been made in the usual way, and that portion shall be in the ratio that the number of months remaining in the current year after the month in which the liability to taxation commences under *subsection 1* bears to the number 12, and shall be entered on the collector's roll and collected in the same manner as if the assessment had been made in the usual way. The re-enactment of *subsection 3* is similar in intent to *subsection 2* and makes business assessment payable from the time the premises are used or occupied for business purposes.
9. **Assessment by Municipalities and Areas in Assessment Region** *Subsections 2, 3, and 4 of Section 46* are re-enacted to permit the assessment of different municipalities within an assessment region to be taken at different times. Under the former legislation provision was only made for taking assessments in different areas within a municipality at different times and the early return of those rolls. *Subsection 3* provides for publication of a notice when the assessment commissioner proceeds under *subsection 2*. *Subsection 4* provides for the extension of time for the return of the roll.
10. **Notice of Complaint.** *Subsections 1, 2, 3, and 4 of Section 52* are re-enacted. *Subsection 1* requires the notice of complaint to be given in writing to the regional registrar of the Assessment Review Court instead of the assessment commissioner. *Subsection 2* provides that where the assessment of some other person is complained of notice shall be given by registered mail to such other person. *Subsection 3* provides that a notice of complaint shall be mailed within fourteen days after the day upon which the roll is required



by law to be returned. The regional registrar shall immediately transmit a copy of all notices received by him to the assessment commissioner. *Subsection 4* provides for the form of the notice of hearing and also to whom the notices shall be sent.

11. **Notice of Appeal.** *Subsection 2 of Section 55* is re-enacted to provide that a notice of appeal to the county judge shall, within fourteen days of the mailing of the notice be sent by the party appealing by registered mail to the regional registrar who shall forthwith mail a copy of such notice to the persons to whom notice was given under *subsection 14*.

12. **Apportionment of County Rates.** *Subsection 1 of Section 72* is re-enacted to provide for apportionment of county rates on the same basis as the preceding year.

13. **Equalization of Payment in Lieu of Taxes.** *Subsection 3 of Section 72* is re-enacted for equalization of payments in lieu of taxes (with a few exceptions as set out therein), on the basis of the last equalization factor determined under *Section 71*.

14. **Note:** New *Sections 91 to 102* provide for using the 1970 assessment roll as the basis for taxation in the years 1972, 1973 and 1974. In 1974 a new assessment roll is to be prepared for taxation in the year 1975. By the year 1975 these sections will cease to be in force.

*Section 91* provides that the assessment roll for the year 1970 shall be the roll for taxation for the years 1972 to 1974 inclusive subject to the alterations authorized to be made under *sections 92 and 93*.

*Section 92* requires the clerk to keep the assessment roll up-to-date in accordance with the information contained on the collector's roll and information provided by the assessment commissioner in order to keep the 1970 assessment roll current.

*Section 93* prevents any increase in assessment by reason of an improvement to a building unless the improvement increases the market value by at least \$2500.

*Section 94* allows an appeal to be made against any assessment on the 1970 roll annually until the 31st day of October and provides for notice by publication of this right of appeal.

*Section 95* provides for taxes to be levied on the assessment roll as corrected by the Assessment Review Court.

*Section 96* directs the appeal tribunal to alter assessments in accordance with the value of assessment of properties similar to that under appeal.

*Section 97* extends the time for bringing an action or proceeding in relation to assessments.

*Section 98* provides that the Assessments generally made in 1971 are inoperative.

# THE CIVIL RIGHTS STATUTE LAW AMENDMENT ACT, 1971

BILL No. 56

Ontario Statutes 1971, Chapter 50, effective on a day to be named by  
the Lieutenant Governor by his proclamation.

NOTE: The purpose of this Bill is to enact amendments to a number of statutes of Ontario to give effect to recommendations of McRuer Report No. 1. Only those amendments of interest to municipalities are noted here.

Amendments are made to the following statutes:

1. **The Dog Tax and Live Stock and Poultry Protection Act.** *Subsection 1 of Section 14* is re-enacted and a new *subsection 2* is added to provide that the council of a municipality may conduct an inquiry in order to ascertain the owner of a dog that has killed or injured live stock or poultry and for such purposes has the powers of a commission under Part II of *The Public Inquiries Act, 1971* which Part applies to such inquiry as if it were an inquiry under that Act. This amendment gives council powers to subpoena witnesses and require evidence on oath.
2. **The Elderly Persons Centres Act, 1966.** *Section 6a* is re-enacted setting out grounds for suspension or revocation of an approval. A procedure requiring that an inquiry be held before suspension or revocation is proposed.
3. **The Fire Fighters' Exemption Act.** *Section 2* is re-enacted to require a hearing before revoking a certificate of exemption of a fire fighter from jury duty or serving as a constable.
4. **The General Welfare Assistance Act.** A new *Section 6a* is added to provide that a municipal welfare administrative may delegate his powers and duties. *Section 7d* is re-enacted to set out grounds for suspension or refusal of assistance. New *Sections 7e* and *7f* are added to provide that any applicant or recipient affected by a decision of a welfare administrator may request a hearing by the board of review established under *The Family Benefits Act, 1966* and the provisions of that Act relating to hearings by the boards and appeals from its decisions apply under the above Act.

# THE CONSERVATION AUTHORITIES AMENDMENT ACT, 1971

BILL No. 95

Ontario Statutes 1971, Chapter 64, effective July 23rd, 1971.

1. **Power of Expropriation.** *Clause e of Section 19* which gives a conservation authority power to expropriate the whole of a lot or parcel and to sell any part thereof is repealed.
2. **Water for Municipal Purposes.** *Clause b of subsection 2 of Section 26* is re-enacted to provide that no regulation made by an authority shall interfere with any rights or powers conferred upon a municipality in respect of the use of water for municipal purposes.

# THE DAY NURSERIES AMENDMENT ACT, 1971

BILL No. 110

Ontario Statutes 1971, Chapter 93, effective July 28th, 1971.

1. **"Day Nursery" Re-defined.** *Clause ab of Section 1* is re-enacted to define "day nursery" to mean "a place that receives, primarily for the purpose of temporary care and custody for a continuous period not exceeding twenty-four hours, more than five children under ten years of age not of common parentage and that is not,
  - (i) part of a public school under *The Public Schools Act*,
  - (ii) part of a separate school under *The Separate Schools Act*,
  - (iii) part of a private school registered under *The Department of Education Act*, or
  - (iv) a children's mental health centre under *The Children's Mental Health Centres Act, 1968-69*.
2. **Definition of "Private-Home Day Care".** *Section 1* is amended by the addition of a new *clause fa* to define "private-home day care" as meaning "the temporary care and custody for reward or compensation of not more than five children under ten years of age in a private residence other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours."
3. **Agreements to Furnish Private-Home Day Care.** A new *Section 2a* is added. *Subsection 1* provides that the council of any municipality may enter into an agreement with any person or organization for the furnishing of private-home day care, and the municipality may make such expenditures as are necessary for the purpose.
4. **Grants.** *Subsection 2 of Section 2a* provides that the council of a municipality may pass by-laws granting aid to any person or organization providing private-home day care.
5. **Grant Provisions Extended.** *Section 3* is re-enacted to extend the making of grants towards the cost of providing private home care. Provision is made for the making of capital grants under new *Sections 3a* and *3b*.
6. **Regulations.** *Section 7* is amended by the addition of new *clauses aa, ab, ac, ad, and ca* to extend the Lieutenant Governor in Council's power to make regulations, being complementary to the new grant changes.

# THE ENVIRONMENTAL PROTECTION ACT, 1971

BILL No. 94

Ontario Statutes 1971, Chapter 86, effective on a day to be named by the Lieutenant Governor by his proclamation.

**General.** The purposes of this Bill are to bring together the existing legislation relating to protection of the environment and to introduce new protective measures. The Bill is structured in modules or Parts, each dealing with a separate aspect of the environment or the mechanics of its protection.

1. **Stop Orders.** *Section 7* provides that when the Director, (as defined in



*Section 4*), upon reasonable and probable grounds, is of the opinion that a source of contaminant is adding to, emitting or discharging into the natural environment any contaminant that constitutes, or the amount, concentration or level of which constitutes, an immediate danger to human life, the health of any persons, or to property, the Director may issue a stop order directed to the person responsible for the source of the contaminant.

2. **Certificate of Municipality of Waste Disposal Site.** *Subsection 1 of Section 35* provides that no certificate of approval for a waste disposal site shall be issued to an applicant other than a municipality unless the applicant has furnished a certificate from the municipality in which the waste disposal site is or is proposed to be situated that the waste disposal site does not contravene any of the by-laws of the municipality.

3. **Provision for Hearing.** *Subsection 3 of Section 35* provides that where a by-law of a municipality affects the location or operation of a proposed waste disposal site, the Minister of the Environment shall require a hearing by the Pollution Control Appeal Board to consider whether the proposed waste disposal site should be exempt from the provisions of the by-law.

4. **Order May be Made by the Minister.** *Subsection 5 of Section 35* provides that the Minister of the Environment, after receiving the decision and the reasons of the Board, may order that the by-law referred to in *subsection 3* does not apply to the proposed waste disposal site and the by-law shall thereupon be deemed not to affect the location or operation of such waste disposal site.

NOTE: As this Bill is quite lengthy it is impossible to summarize in this publication all sections which directly or indirectly affect municipalities. It is therefor suggested that recourse should be had to the actual Bill.

## THE HIGHWAY IMPROVEMENT AMENDMENT ACT, 1971

BILL No. 89

Ontario Statutes 1971, Chapter 61, effective July 23rd, 1971.

NOTE: The name of *The Highway Improvement Act* is changed to *The Public Transportation and Highway Improvement Act*.

1. **Consent to Temporary Closing of Highway.** A new *subsection 3* is added to *Section 25* to provide for the temporary closing of a municipal highway that gives access to the King's Highway for a specified period of time not exceeding seventy-two hours and in the opinion of the Minister there is an adequate detour for through traffic, the approval of the by-law may be given by the Minister. Previously Lieutenant Governor in Council approval was required in these circumstances. A complementary amendment is made by the addition of *subsection 4* to *Section 29* to deal with the King's Highway or any part of any other highway that is under the jurisdiction and control of the Department.

2. **Appointment of County Road Superintendent.** *Subsection 4 of Section 47* is re-enacted to delete the requirement that the appointment of a county road superintendent be approved by the Minister. The requirement that a copy of the appointing by-law must be transmitted to the Minister within thirty days of the passing thereof is retained.

3. **Provincial Assistance for Road Improvements.** *Section 50* is re-enacted to allow the Minister to allocate to a county the amount of provincial assistance for road improvement in any year without limiting the expenditure by the county for such purpose.

4. **Financial Assistance in Advance.** *Clause d of subsection 1 of Section 51* is re-enacted along with *subsection 2* and *4* and new *subsection 5* is added to provide financial assistance to a county in accordance with the allocation made under *Section 50*. Provision is made for advance payment up to 60 per cent of the allocation.

5. **Township Road Superintendent.** *Subsections 1* and *2 of Section 75* are re-enacted to provide that every township shall by by-law appoint a township road superintendent who shall inspect all roads under the jurisdiction and control of the township and shall lay out and supervise all work on such roads. A copy of the by-law appointing a township road superintendent shall be forwarded to the Minister within thirty days of the passing thereof. Special reference to the salary and expenses of the township road superintendent is deleted. The requirement for the approval of the Minister to the appointment of the road superintendent is also deleted.

6. **Allocation of Moneys to Township by Minister.** *Subsections 2, 3* and *4 of Section 76* are re-enacted and a new *subsection 5* is added to allow the Minister to allocate to a township the amount of provincial assistance for road improvements in any year without limiting the expenditure by the township for such purposes.

7. **Payment to Township.** *Clause d of subsection 1, subsections 2, 3,* and *5 of Section 79* are re-enacted and a new *subsection 6* is added to provide financial assistance to a township in accordance with the allocation under *Section 76*. Provision is made for advance payments up to 60 per cent of the allocation.

8. **Allocation of Moneys to Cities, Towns or Villages by Minister.** *Subsections 1* and *2 of Section 82* are re-enacted and new *subsections 3* and *4* are added to allow the Minister to allocate to a city, town or village the amount of provincial assistance for road improvements in any year without limiting the expenditure by the city, town or village for such purposes.

9. **Financial Assistance to Cities, Towns or Villages.** *Subsections 1, 2, 3,* and *5 of Section 83* are re-enacted and a new *subsection 6* is added to provide financial assistance to a city, town or village in accordance with the allocation under *Section 82*. Provision is made for advance payments up to 60 per cent of the allocation. *Subsection 1* requires municipalities to submit an annual statement to the Minister during the progress or road construction or maintenance.

10. **New Part X-A.** This new Part has been enacted to allow the Minister to allocate to a district, metropolitan or regional municipality the amount of provincial assistance for road improvements in any year without limiting the expenditure by the municipality for such purposes and to provide for the payment of subsidy in accordance with such allocation. Provision is made for advance payments up to 60 per cent of such allocation.

11. **Part XII-A Re-enacted.** This Part has been re-enacted to broaden the items on which a municipality, including a metropolitan or regional municipality, may receive financial assistance for the construction of a subway or other rapid transit system designated by the Lieutenant Governor in Council.

12. **New Part XII-B.** This new Part provides for financial assistance to municipalities, including a district, metropolitan or regional municipality, in respect of expenditures for public transportation.

## THE HOMES FOR THE AGED AND REST HOMES AMENDMENT ACT, 1971

BILL No. 124

Ontario Statutes 1971, Chapter 99, effective July 28th, 1971.

1. **Survey and Evaluation Before Establishment of Home.** New *Section 8a* is added to provide that before selecting or acquiring a site or erecting or acquiring a building for use as a home or joint home, the municipality or band establishing the home or the municipalities or bands establishing a joint home shall evaluate the site in accordance with the regulations to determine whether it will best serve the programs of the home and the best interests of the prospective residents and conduct a survey of the community and review of population requirements in accordance with the regulations and submit a report thereof to the Minister of Social and Family Services. A complimentary amendment is made by the re-enactment of *subsection 1 of Section 9* to require the site and plans, etc. for a home to be approved by the Minister.

2. **Revision and Equalization of Assessment.** *Subsection 1 of Section 19* is renumbered *subsection 1c* and new *subsections 1, 1a and 1b* are added to *Section 19* for the purpose of apportioning the cost of maintaining a home in a district amongst the municipalities in the district. Provision is made for equalization of the assessment by the Department of Municipal Affairs and an appeal to the Municipal Board is provided. *Subsection 2 of Section 19* is repealed as it is now obsolete.

3. **Regulations.** New *clauses ca and cb* are added to *subsection 1 of Section 26* to complement the amendments made to the Act by this Bill.

## THE LIQUOR LICENCE AMENDMENT ACT, 1971

BILL No. 71

Ontario Statutes 1971, Chapter 35, effective July 9th, 1971.

**Wording of Questions Changed.** *Paragraphs 6 and 7 of subsection 1 of Section 72* are re-enacted to provide different wording to the questions to be put to the electorate where it is asked whether it is in favour of the sale of wine, beer and liquor being sold for consumption on licensed premises with food available. Complementary amendments are made by the re-enactment of *paragraphs 6 and 7 of subsection 1 of Section 73* where the question is asked if the electorate is in favour of the continuance of the above.



# THE MUNICIPAL AMENDMENT ACT, 1971

BILL No. 136

Ontario Statutes 1971, Chapter 81, effective July 23rd, 1971.

1. **Additional Educational Institutions Liable to a Tax.** *Subsection 1 of Section 294b* is re-enacted and new *subsections 1a and 1b* are added to designate added universities that may be taxed, to include the Ryerson Polytechnical Institute and colleges of applied arts and technology. The rate of tax may be increased from \$25.00 to \$35.00 in certain cases. *Subsection 2 of Section 294b* is amended to make *Section 548 and 574* inapplicable for fixing the time of payment of taxes, discounts for advance payments and penalties for late payment.

2. **Fringe Benefits of Member of Police Force.** *Subclause i of clause a of paragraph 59 of Section 377* is amended to make it clear that members of a police force of a municipality are its employees for the purpose of providing pensions, sick leave, group life insurance and other benefits to such members. A substantive provision is added to provide that the definition of "employee" in the above subclause as it existed on the day prior to the day on which this Act comes into force shall be deemed always to have included a member of a police force of a municipality, but nothing in the section affects the rights acquired by any person from a judgment or order of any court prior to the day on which this Act comes into force or affects the outcome of any litigation or proceedings commenced on or before the 20th day of July, 1971.

3. **Trailer Camp Lot Fees.** *Subclause iii of clause b of paragraph 15 of Section 401* is amended to provide that trailer lot licence fees in cases of lots that are not made available for long-term or permanent occupancy by a trailer are restricted to an amount up to \$5.00 per month. Formerly municipalities could impose a licence fee of up to \$20.00 per month for each lot in a trailer camp.

4. **Width of Highways.** *Subsection 2 of Section 466* is amended to transfer the approving authority from the Municipal Board to the Minister of Municipal Affairs where highways are being laid out less than 66 feet or more than 100 feet in width.

# THE PITS AND QUARRIES CONTROL ACT, 1971

BILL No. 120

Ontario Statutes 1971, Chapter 96, effective on a day to be named by the Lieutenant Governor by his proclamation.

NOTE: The purposes of this Bill are to control pits and quarries having regard to the environmental effects.

1. **Application of the Act.** *Section 2* provides that the Act applies only in such parts of Ontario as are designated by the Lieutenant Governor in Council by regulation.

2. **Pit or Quarry Licence.** *Subsection 1 of Section 4* provides no person shall open, establish or operate a pit or quarry except under the authority of a licence issued by the Minister of Mines and North Affairs.

3. **Objections to Licence.** *Subsection 1 of Section 5* provides that upon the receipt for an application for a licence, the Minister shall fix a day as the last day upon which written objections may be filed with by a municipal council or any other authority having an interest or any person directly affected by the issuing of a licence.

4. **Hearing by Municipal Board.** *Subsection 3 of Section 5* provides that if any person entitled to object under *Subsection 1* requires a hearing by notice in writing to the Minister before the period of expiration for objection, the Minister shall refer the matter to the Municipal Board for a hearing.

5. **Regulations.** *Section 19* provides that the Lieutenant Governor in Council may make regulations governing management and operation of pits and quarries, granting of licences, and prescribing of forms, etc.

## THE PLANNING AMENDMENT ACT, 1971

BILL No. 28

Ontario Statutes 1971, Chapter 2, effective April 28th, 1971.

1. **Simultaneous Conveyances.** A new *subsection 5a* is added to *Section 26* to deem that the fee in abutting land is retained where simultaneous conveyances, etc. are made.

2. **Time for Expiry of Consent.** *Subsection 6 of Section 26* is amended to provide that the period of time at the expiry of which a consent given by the Minister, a committee of adjustment or land division committee will lapse is extended from one year to two years.

3. **Number of Members for Quorum of Land Division Committee.** A new *subsection 3a* is added to *Section 26a* to provide that where a land division committee is composed of three members, two members constitute a quorum, and where a committee is composed of more than three members, three members constitute a quorum. Formerly a majority of members was required in all cases to constitute a quorum.

4. **Automatic Termination of Draft Plan Approvals.** A new *subsection 11a* is added to *Section 28* to provide that where the Minister has not given his approval to a final plan for registration within three years after the date upon which approval to the draft plan was given, the approval of the draft plan shall, unless such approval has prior thereto been withdrawn pursuant to *subsection 11*, thereupon lapse, but the Minister may at any time during such three year period extend the duration of the approval and may from time to time thereafter, prior to the lapsing of the approval, further extend the duration of approval.

5. **Notice of Establishment of Committees of Adjustment.** A new *subsection 1a* is added to *Section 32a* to provide that the Minister be given 30 days notice that a committee of adjustment is being established. This is significant having regard to the jurisdiction for granting consents.

6. **Application of Fees to Committees of Adjustment Increased.** *Subsection 5 of Section 32b* is amended to provide that the maximum amount of the fee to be payable to a committee of adjustment and to a land division committee is increased from \$25 to \$50.

# THE PROVINCIAL PARKS MUNICIPAL TAX ASSISTANCE ACT, 1971

BILL No. 123

Ontario Statutes 1971, Chapter 78, effective July 23rd, 1971.

NOTE: This is a new Act which provides for the payment of grants to municipalities in which are situate one or more provincial parks or a part thereof.

1. **Municipality Defined.** *Clause b of Section 1* defines "municipality" as meaning "a city, town, village or improvement district".
2. **Designation of Parks.** *Subsection 1 of Section 2* provides that the Minister of Lands and Forests shall annually, on or before February 1st advise the Department of Municipal Affairs of the names of those municipalities in which there was located on the next preceding 1st day of January one or more provincial parks or any part thereof and numbers of acres to the nearest whole acre in each provincial park or a part thereof so located within each such municipality. *Section 6* provides that the annual determination required under *Section 2* shall be made for the purpose of payments in 1971 as soon as is practicable after the coming into force of this Act.
3. **Status of Parks in Relation to Municipalities.** *Subsection 2 of Section 2* provides that for the purposes of this Act, notwithstanding *subsection 5 of Section 3 of The Provincial Parks Act*, any land set apart as a provincial park or added thereto shall be deemed not to be separated from the municipality of which it formed a part immediately before it became a provincial park or part thereof.
4. **Payment of Grants.** *Section 3* provides that commencing with the year 1971, the Department of Municipal Affairs may pay in each year to a municipality in which there is one or more provincial parks, \$5.00 per acre for each of the first 100 acres of each such park and \$2.00 per acre in excess of 100 acres in each such park to a maximum of 10,000 acres; or \$100 whichever is the greater.
5. **Municipal Assessment Deemed Increased.** *Section 4* provides that where a municipality receives a payment under *Section 3* that is used for apportioning a county rate, a metropolitan levy, a regional levy, or a district levy, (under certain specific sections of the Acts involved), assessment shall be deemed to be increased by an amount that would have produced the amount of the payment received by the taxation of real property at the rate applicable to residential and farm property in the preceding year for all purposes other than school purposes.

# THE PUBLIC HEALTH AMENDMENT ACT, 1971

BILL No. 119

Ontario Statutes 1971, Chapter 95, effective July 28th, 1971.

**Outdoor Festivals.** A new *Section 6a* is added to permit The Minister of Health, with the approval of the Lieutenant Governor in Council to regulate outdoor festivals. *Subsection 1* defines an "outdoor festival" to mean



“a festival for the assembly of more than 2,000 people out of doors for a period of at least twenty-four hours and for the provision of musical or theatrical entertainment thereat”. *Subsection 2* provides that the Minister may make regulations governing health and safety standards, requiring collateral security to be provided by any person responsible for health and safety standards, and for requiring the furnishing of information respecting the festival. *Subsection 3* provides that any person who contravenes any regulation is guilty of an offence and on summary conviction is liable to a fine of not more than \$10,000.

## THE PUBLIC SCHOOLS AMENDMENT ACT, 1971

BILL No. 103

Ontario Statutes 1971, Chapter 69, effective July 23rd, 1971 except for the re-enacted Section 69 which comes into force January 1st, 1972.

1. **Township School Areas.** *Section 40* is re-enacted to provide for the maintenance, formation and alteration of township school areas for those parts of the territorial districts which are not included in a school division.
2. **Levy of Sums Required by Board.** *Section 69* is re-enacted to provide that the moneys raised for school purposes shall be paid over to the board in instalments in the same manner as such moneys are required to be paid over to divisional boards of education and to make it clear that the instalments are payable on the specified dates whether or not the tax moneys have yet been collected. *Subsection 3* provides that the council of each municipality shall annually account for all moneys collected for public school purposes and any sum collected in excess of the amount required by the board to be raised by the municipality for such purposes shall, except where otherwise provided in the Act under which the sum is collected be retained by the municipality and applied to reduce the amount that the municipality is required by such board to raise for such purposes in the year next following.

## THE REGIONAL MUNICIPAL GRANTS AMENDMENT ACT

BILL No. 112

Ontario Statutes 1971, Chapter 73, effective July 23rd, 1971.

1. **Financial Assistance for Regional and District Municipalities.** A new *Section 10a* is added to provide for financial assistance for regional and district municipalities and area municipalities therein on such terms and conditions as the Minister may direct. *Subsection 2* provides that the Lieutenant Governor in Council may, by order, provide for payment to be made to the Regional Municipality of Niagara, The Regional Municipality of Ottawa-Carleton, The Regional Municipality of York, The District Municipality of Muskoka and to any area municipality for a period not exceeding five years from the date this Act comes into force to minimize changes in the incidence of local taxation and to promote the development of services on a regional or district basis.

2. **Apportionment of Regional or District Levy.** *Subsection 4 of Section 10a* provides that where payments are made to a regional or district municipality the council of the regional or district municipality, as the case may be, shall by by-law passed in that year and approved by the Minister apportion the regional or district levy among the area municipalities, and such apportionment shall apply in that year and the following three years and the council of an area municipality may by by-law approved by the Minister apportion the regional or district levy among the merged areas within the area municipality and such apportionment shall apply in that year and in the following three years.

3. **Apportionment of Local Levy.** *Subsection 5 of Section 10a* provides that where payments are made to an area municipality, the council of the area municipality may by by-law approved by the Minister apportion the local levy among the merged areas within the area municipalities and such apportionment shall apply in that year and in the following three years.

## THE SCHOOLS ADMINISTRATION AMENDMENT ACT, 1971

BILL No. 105

Ontario Statutes 1971, Chapter 90, effective July 28th, 1971, except for the amendments to Section 97 and 100b which shall be deemed to have come into force January 1st, 1971.

1. **Collection of Licence Fees for Trailers.** A new *subsection 4* is added to *Section 97* to provide that the share of trailer licence fees payable to a board by the council of a municipality under this section shall be in addition to any other amount that is payable to the board by the municipality, and shall be paid to the board on or before the 15th day of December in the year for which the licence fees are collected.

2. **Adjustment of Levies.** *Subsection 2 of Section 100b* is re-enacted and a new *Subsection 3* is added to permit an under-requisition, over-requisition, under-levy or over-levy to be adjusted in the year next following its discovery or over a two- or three-year period.

3. **Withholding of Denture Levy.** *Subsection 1 of Section 106* is amended to provide that the council of each municipality, except a municipality in a school division, shall withhold from the amount levied and collected for a school board sufficient funds to meet the annual debt charges payable in the current year by the municipality in respect of debentures issued for the purposes of the board. The purpose of this amendment is to remove a conflict with *Section 89 of The Secondary Schools and Boards of Education Act*.

## THE SECONDARY SCHOOLS AND BOARDS OF EDUCATION AMENDMENT ACT, 1971

BILL No. 102

Ontario Statutes 1971, Chapter 68, effective July 23rd, 1971.

**Municipality to Account for Moneys.** *Subsection 3 of Section 34* is re-enacted for clarification. The re-enacted subsection provides that the council of each municipality shall annually account for all moneys collected for secondary school purposes, and any sum collected in excess of the amount

required by the board to be raised by the municipality for such purposes shall except where otherwise provided in the Act under which the sum is collected, be retained by the municipality and applied to reduce the amount that the municipality is required by such board to raise for such purposes in the year next following.

## THE SEPARATE SCHOOLS AMENDMENT ACT, 1971

BILL No. 106

Ontario Statutes 1971, Chapter 70, effective July 23rd, 1971.

1. **Collection of Rates.** *Clause f of subsection 1 of Section 45* has been re-enacted to make it clear that a board wishing to have separate school rates collected by a municipal council shall so request on or before the 1st of February as required in *Section 62* and shall submit the rates to be collected by the 1st of March in each year.

2. **Continuance of Request for Collection of Rates.** *Section 62* is amended by the addition of a new *subsection 1a* to provide for the continuity of a notice given by a separate school board to a council for the collection of rates on behalf of the board.

## THE TILE DRAINAGE ACT, 1971

BILL No. 75

Ontario Statutes 1971, Chapter 37, comes into force on a day to be named by the Lieutenant Governor by his proclamation.

**General.** This new Act is a complete revision of *The Tile Drainage Act* to streamline the administrative procedures and reduce the time required to process loan applications. The forms used under the Act will be prescribed in the regulations. The limit on the total amount of debentures which may be purchased by the Treasurer of Ontario is removed and the limit on the total amount which may be borrowed by a municipality is removed.

1. **Borrowing Powers of Municipalities.** *Subsection 1 of Section 2* provides that subject to *Section 64* and *65 of The Ontario Municipal Board Act*, the council of a municipality may pass by-laws in the prescribed form authorizing the borrowing of money from the Treasurer of Ontario for the purpose of lending the money for the construction of drainage works and the issuance of debentures in the prescribed form by the municipality or by a district or regional municipality on its behalf. *Subsection 2* provides for the registration of the by-law in the proper registry office.

2. **Application by Owner for Loan.** *Subsection 1 of Section 3* provides that an owner of agricultural land who is assessed as owner thereof in the municipality or, where at any time after the return of the assessment roll and before the return of the assessment roll in the following year, the land is conveyed to some other person, such other person may make application to the council of the municipality in the prescribed form to borrow money for the purpose of constructing a drainage work on such agricultural land. *Subsection 3* provides that the approval of any application under *subsection 1* is in the discretion of the council whose decision is final and written notice of the decision shall forthwith be given to the applicant.



# PUBLIC ACTS ENACTED IN ADDITION TO THOSE REFERRED TO IN THIS BULLETIN

(Not Including Those Acts Amended By Bill No. 50)

Chap. No.	Bill No.
8 The Administration of Justice Amendment Act, 1971 .....	2
54 The Audit Amendment Act, 1971 .....	73
26 The Business Corporations Amendment Act, 1971 .....	52
91 The Children's Boarding Homes Amendment Act, 1971 .....	107
51 The Compensation for Victims of Crime Act, 1971 .....	63
24 The Consumer Protection Amendment Act, 1971 .....	47
25 The Corporations Amendment Act, 1971 .....	48
27 The Corporations Information Act, 1971 .....	57
11 The Corporations Tax Amendment Act, 1971 (No. 1) .....	26
72 The Corporations Tax Amendment Act, 1971 (No. 2) .....	111
60 The County Courts Amendment Act, 1971 .....	87
4 The County Judges Amendment Act, 1971 .....	3
28 The Crop Insurance Amendment Act, (Ontario), 1971 .....	58
23 The Crown Timber Amendment Act, 1971 .....	43
5 The Crown Witnesses Amendment Act, 1971 .....	4
66 The Department of Colleges and Universities Act, 1971 .....	98
89 The Department of Education Amendment Act, 1971 .....	104
63 The Department of Energy and Resources Management Amendment Act, 1971 .....	93
13 The Department of Transportation and Communications Act, 1971 .....	24
76 The District Municipality of Muskoka Amendment Act, 1971 .....	115
100 The Election Amendment Act, 1971 .....	125
52 The Endangered Species Act, 1971 .....	68
44 The Energy Act, 1971 .....	91
12 The Expropriations Amendment Act, 1971 .....	36
92 The Family Benefits Amendment Act, 1971 .....	109
1 The Farm Products Marketing Amendment Act, 1971 (No. 1) .....	10
42 The Farm Products Marketing Amendment Act, 1971 (No. 2) .....	88
55 The Financial Administration Amendment Act, 1971 .....	74
19 The Fish Inspection Amendment Act, 1971 .....	32
17 The Forestry Amendment Act, 1971 .....	30
58 The Fort William Land Titles and Registry Office Repeal Act, 1971 .....	85
29 The Fur Farms Act, 1971 .....	59
30 The Game and Fish Amendment Act, 1971 .....	60
18 The Gananoque Lands Amendment Act, 1971 .....	31

# PUBLIC ACTS ENACTED IN ADDITION TO THOSE REFERRED TO IN THIS BULLETIN

(Not Including Those Acts Amended By Bill No. 50)

Chap. No.	Bill No.
85 The Health Services Insurance Amendment Act, 1971 .....	82
41 The Hotel Fire Safety Act, 1971 .....	84
83 The Human Tissue Gift Act, 1971 .....	65
22 The Income Tax Amendment Act, 1971 .....	45
43 The Industrial Safety Act, 1971 .....	90
84 The Insurance Amendment Act, 1971 .....	81
57 The Judicature Amendment Act, 1971 .....	83
48 The Judicial Review Procedure Act, 1971 .....	54
9 The Jurors Amendment Act, 1971 .....	5
6 The Justices of the Peace Amendment Act, 1971 .....	6
101 The Legislative Assembly Amendment Act, 1971 .....	126
36 The Liquor Control Amendment Act, 1971 (No. 1) .....	72
88 The Liquor Control Amendment Act, 1971 (No. 2) .....	101
71 The Maternity Boarding Houses Repeal Act, 1971 .....	108
102 The Mining Amendment Act, 1971 .....	129
14 The Mining Tax Amendment Act, 1971 .....	25
7 The Municipality of Metropolitan Toronto Amendment Act, 1971 (No. 1) .....	35
80 The Municipality of Metropolitan Toronto Amendment Act, 1971 (No. 2) .....	128
97 The Niagara Parks Amendment Act, 1971 .....	121
87 The Northern Ontario Development Corporation Amendment Act, 1971 .....	100
34 The Nursing Homes Amendment Act, 1971 .....	67
67 The Ontario Development Corporation Amendment Act, 1971 .....	99
38 The Ontario Loan Act, 1971 .....	76
39 The Ontario Universities Capital Aid Corporation Amendment Act, 1971 .....	77
82 The Paperback and Periodical Distributors Act, 1971 .....	64
94 The Petroleum Resources Act, 1971 .....	117
16 The Provincial Parks Amendment Act, 1971 .....	29
49 The Public Inquiries Act, 1971 .....	55
46 The Public Lands Amendment Act, 1971 .....	51
40 The Public Service Superannuation Amendment Act, 1971 .....	78
77 The Regional Municipality of Niagara Amendment Act, 1971 .....	116

# PUBLIC ACTS ENACTED IN ADDITION TO THOSE REFERRED TO IN THIS BULLETIN

(Not Including Those Acts Amended By Bill No. 50)

Chap. No.		Bill No.
74	The Regional Municipality of Ottawa-Carleton Amendment Act 1971 .....	113
75	The Regional Municipality of York Amendment Act, 1971 .....	114
65	The Ryerson Polytechnical Institute Amendment Act, 1971 .....	97
31	The Securities Amendment Act, 1971 .....	49
47	The Statutory Powers Procedure Act, 1971 .....	53
15	The Succession Duty Amendment Act, 1971 .....	27
10	The Summary Convictions Amendment Act, 1971 .....	7
103	The Supply Act, 1971 .....	141
59	The Surrogate Courts Amendment Act, 1971 .....	86
53	The Surveys Amendment Act, 1971 .....	70
32	The Trustee Amendment Act, 1971 .....	62
56	The University of Toronto Act, 1971 .....	80
21	The Used Car Dealers Amendment Act, 1971 .....	42
33	The Venereal Diseases Prevention Amendment Act, 1971 .....	66
20	The Wages Amendment Act, 1971 .....	37
3	The Wills Amendment Act, 1971 .....	1
62	The Workmen's Compensation Amendment Act, 1971 .....	92

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